FRANKLIN MILROY LUCAN WINTHROP



318 - Second Avenue East - P. O. Box 310 FRANKLIN, MINNESOTA 55333-0310

April 6, 2015

## VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 12<sup>th</sup> Street SW Washington, DC 20554

Re: CC Docket 02-33 - Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Minnesota Valley Telephone Company, Inc. (Study Area 361439)

Dear Ms. Dortch:

Pursuant to the Commission's Wireline Broadband Order, Minnesota Valley Telephone Company, Inc. hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2015, Minnesota Valley Telephone Company, Inc., plans to offer wireline broadband internet access service on a permissive detariffed, common carriage basis.

Please direct any questions to the undersigned.

any & Busd

Sincerely,

Danny Busche General Manager

Cc: Interstate Telcom Consulting, Inc. NECA Region Manager Ms. Marlene Dortch, Secretary Federal Communications Commission April 6, 2015 Page 2

> Notice of Permissive Detariffing of Wireline Broadband Internet Access Service Effective July 1, 2015

> > Minnesota Valley Telephone Company, Inc. (STUDY AREA 361439) 318 2<sup>nd</sup> Avenue East Franklin, MN 55333-0310 Telephone: (507) 557-2275

> > > CC Docket No. 02-33

April 6, 2015

Minnesota Valley Telephone Company, Inc. hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2011 Minnesota Valley Telephone Company, Inc. will begin offering wireline broadband internet access service on a Title II, common carriage, permissive detariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order. The geographic areas affected are those Minnesota Valley Telephone Company, Inc. exchanges where DSL is technically feasible.

Today, this service is provided to Minnesota Valley Telephone Company, Inc. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business consumers. End user service provided will not be affected by discontinuance of the tariffed offering by Minnesota Valley Telephone Company, Inc. As stated in the attached customer notice, Minnesota Valley Telephone Company, Inc. will continue to offer services to existing ISP customers under current rates, terms and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2015, Minnesota Valley Telephone Company, Inc. will make its wireline broadband internet access service on a permissive detariffed, common carriage basis through posting of rates, terms and conditions available on our company website (<a href="www.mnval.com">www.mnval.com</a>) and in printed copy during normal business hours at Minnesota Valley Telephone Company, Inc. business office located at 318 2<sup>nd</sup> Avenue East, Franklin, MN 55333-0310.

<sup>&</sup>lt;sup>1</sup> See Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Red 14853 (2005). FCC 05-150 (rel. September 23, 2005), (Wireline Broadband Order)

## CERTIFICATE OF SERVICE

- I, Danny Busche, General Manager, do certify that I have, on this 6 day of April, 2015:
- 1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Governor Mark Dayton
Office of the Governor
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd
St Paul, MN 55155

Secretary of Defense Attn: Special Assistant for Telecommunications PENTAGON Washington, DC 20301

2. Served via electronic filing a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Mr. Daniel Wolf Executive Secretary Minnesota Public Utility Commission 121 7<sup>th</sup> Place East Suite 350 St Paul, MN 55101-2417

3. Served via paper a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Minnesota Valley Telephone Company, Inc. 318 2<sup>nd</sup> Avenue East Franklin, MN 55333-0310

Minnesota Valley Telephone Company, Inc. 318 2<sup>nd</sup> Avenue East Franklin, MN 55333-0310

Re: CC Docket 02-33 - Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Minnesota Valley Telephone Company, Inc. (Study Area 361439)

Dear Valued Customer:

Our records indicate that Minnesota Valley Telephone Company, Inc. is currently purchasing wholesale broadband transport services from Minnesota Valley Telephone Company, Inc. under NECA Tariff No. 5 ("Tariff"). This letter is to advise you that Minnesota Valley Telephone Company, Inc., study area 361439 will discontinue provisioning service on July 1, 2015 pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your term or until replaced by a Broadband Commercial Agreement.

The rates, terms and conditions for the Broadband Commercial Agreement will be available in printed copy during normal business hours at Minnesota Valley Telephone Company, Inc. business office located at 318 2<sup>nd</sup> Avenue East, Franklin, MN 55333-0310.

The actions described above are taken in accordance with the FCC's Report and Order (FCC 05-150) released September 23, 2005 in Docket No. 02-33. In this order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively detariffed basis.

No action is necessary on your part. However, if you have any questions, please feel free to contact me.

Sincerely,

Danny Busche

General Manager

Cc: Interstate Telcom Consulting, Inc.

**NECA Region Manager** 

Dany & Busch